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operates, although its period is extended by the saving clause in their favor. See *Bunce v. Wolcott*, 2 Conn. 27, 33; *Herff v. Griggs*, 121 Ind. 471, 476, 23 N. E. 279, 281. For disabilities acquired after disseisin are ineffectual. *Kelley v. Gallup*, 67 Minn. 169, 69 N. W. 812. Cf. *McDonald v. Hovey*, 110 U. S. 619, 4 Sup. Ct. 142. And the heir, though disabled, takes subject to the time run against the ancestor, disabled or not. *Pim v. City of St. Louis*, 122 Mo. 654, 27 S. W. 525; *Davis v. Coblenz*, 174 U. S. 719, 19 Sup. Ct. 832. It is generally held that possession, unimpeachable when the statute bars entry and action, is title. *Inhabitants of School District v. Benson*, 31 Me. 381; *Sharon v. Tucker*, 144 U. S. 533, 12 Sup. Ct. 720. But an infant, even after the period for an adult has run, retains a right of action, and until this is barred, the disseisor under the usual statute would have no lawful title. Consequently, his abandonment would necessitate the running of the statute *de novo*. *Overand v. Menczer*, 83 Tex. 122, 18 S. W. 301; *Old South Society v. Wainwright*, 156 Mass. 115, 30 N. E. 476. The statute here, however, expressly gave the disseisor title after seven years. SHANNON, CODE OF TENN., 1896, § 4456. This may be construed to operate against disabled parties. *Schauble v. Schulz*, 137 Fed. 389. Cf. *Jones v. Lemon*, 26 W. Va. 629, 635. The decision reconciles this with the provision for infants by letting title pass, subject to be defeated by action within three years after majority. Then abandonment after seven years is immaterial.

MALICIOUS PROSECUTION — PROBABLE CAUSE — ACQUITTAL OF PLAINTIFF AS EVIDENCE. — In an action for malicious prosecution the court refused to charge that if the plaintiff was tried and acquitted this lifted from him the burden of showing want of probable cause. *Held*, that this charge should have been given. *Hanchey v. Brunson*, 56 So. 971 (Ala.).

Lack of probable cause is an essential part of the plaintiff's case in malicious prosecution. *Abrath v. North Eastern Ry. Co.*, 11 Q. B. D. 440. Since it is the duty of an examining magistrate to hold an accused for trial if there appears to be probable cause for the prosecution, many courts hold that the discharge of the plaintiff by a magistrate is *prima facie* evidence of want of probable cause. *Burhight v. Tammany*, 158 Pa. St. 545, 28 Atl. 135; *Vinal v. Core*, 18 W. Va. 1, 42, 69, 70. Other courts hold that such a discharge has no bearing on the question of probable cause. *Israel v. Brooks*, 23 Ill. 575; *Davis v. McMillan*, 142 Mich. 391, 105 N. W. 862. However this may be, an acquittal shows merely that the accused was not believed, beyond a reasonable doubt, to be guilty, and has no logical bearing whatever on the question whether the defendant, at an earlier time, had reasonable grounds for prosecuting him. It is therefore almost universally held that an acquittal is no evidence — certainly not *prima facie* evidence — of want of probable cause. *Boeger v. Langenberg*, 97 Mo. 390, 11 S. W. 223; *Cullen v. Hanisch*, 114 Wis. 24, 89 N. W. 900. The contrary decisions are almost negligible. *Whitwell v. Westbrook*, 40 Miss. 311. See *Lunsford v. Dietrich*, 93 Ala. 565, 570, 9 So. 308, 310. The burden which the doctrine of the principal case lays upon prosecutors is likely unduly to discourage prosecutions.

MUNICIPAL CORPORATIONS — LIABILITY FOR TORTS — NEGLIGENT MAINTENANCE OF LAND CONDEMNED FOR PARK AFTER STATUTE AUTHORIZING SALE. — A statute authorized the sale of land acquired by a city for a public park. Before it was sold, the plaintiff was injured upon the land, and sued the city for negligence. *Held*, that the city is not liable. *Durkin v. City of New York*, 146 N. Y. App. Div. 472, 131 N. Y. Supp. 275.

The authorities are in conflict regarding the liability of municipalities for negligence in maintaining public parks. *Clark v. Inhabitants of Wallham*, 128 Mass. 567; *City of Denver v. Spencer*, 34 Colo. 270, 82 Pac. 590. The difficulty